

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: **Edward T. Corson
Toni M Corson**

Debtor(s)

Case No.: **16-29657-MBK**
Judge: **Michael B. Kaplan**
Chapter: **13**

CHAPTER 13 PLAN AND MOTIONS

☐ Original
☒ Motions Included
☐ Modified/Notice Required
☒ Modified/No Notice Required
☒ Discharge Sought
☐ No Discharge Sought

Date: July 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay 100.00 Monthly to the Chapter 13 Trustee, starting on 10/1/2016 for approximately 36 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property
Description:
Proposed date for completion: _____
- ☐ Refinance of real property
Description:
Proposed date for completion: _____
- ☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Bruce C. Truesdale ~BT 0928	Attorney Fees	2,000.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Americredit	2011 Cadillac SRX	\$559.18	n/a	\$559.18	\$224.59
Santander (Chrysler)	2010 Dodge Ram	\$258.02	n/a	\$258.02	\$483.85

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated

as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
US Bank	13 Forest Lane, Dunellen, NJ	\$65,132.08	\$443,200.00	\$667,968.83	NO VALUE	0%	\$0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Quantum3	Jewelery	Unknown	\$0.00

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor
Bank of New York

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

____ Not less than \$ ____ to be distributed *pro rata*

____ Not less than ____ percent

 x *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
US Bank	13 Forest Lane, Dunellen, NJ	\$65,132.08

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims

- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: **April 2017**.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
Second Mod Plan - Part 7 motion needed to be listed in Part 4 First Mod Plan - Small arrearages were discovered upon review of the filed secured POCs. Additionally, a wholly unsecured secured mortgage POC was filed that needed to be addressed.	Second Mod Plan - Part 7 motion was listed in Part 4 First Mod Plan - Part 4a was amended to address secured arrears. Part 7b now lists a motion to reclassify a wholly unsecured secured mortgage.

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☐ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date 7/6/2017 /s/ Bruce C. Truesdale
Bruce C. Truesdale
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: 7/6/2017 /s/ Edward T. Corson
Edward T. Corson
Debtor

Date: 7/6/2017 /s/ Toni M Corson
Toni M Corson
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Edward T Corson
 Toni M Corson
 Debtors

Case No. 16-29657-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

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 Total Noticed: 53

Date Rcvd: Jul 07, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 09, 2017.

db/jdb
 516483175 +Edward T Corson, Toni M Corson, 13 Forest Lane, Greenbrook, NJ 08812-2105
 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 516676345 BONY as trustee for CWABS Inc Series 2005-8, Shellpoint Mortgage Servicing, PO BOX 10826,
 Greenville, SC 29603-0826
 516446715 +Bank of America, PO Box 31785, Tampa, FL 33631-3785
 516446716 +Best Buy Credit Services, P.O. Box 790441, Saint Louis, MO 63179-0441
 516488354 +CHRYSLER CAPITAL, P.O. BOX 961275, FORT WORTH, TX 76161-0275
 516446717 +Capital One, PO Box 71083, Charlotte, NC 28272-1083
 516446719 +Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
 516446720 +Capital One Bank, Po Box 30281, Salt Lake City, UT 84130-0281
 516584651 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 516446721 +Chrysler Capital, Attention: Bankruptcy Dept, P.O. Box 961278, Fort Worth, TX 76161-0278
 516446722 +Comenity Bank, Bankruptcy Department, P.O. Box 182273, Columbus, OH 43218-2273
 516446725 +Diversified Collections, P.O. Box 200, Greensburg, PA 15601-0200
 516446727 +Express, Po Box 659728, San Antonio, TX 78265-9728
 516446726 +Express, Comenity Bank, P.O. Box 182769, Columbus, OH 43218-2769
 516446728 +GM Financial, P.O. Box 183834, Arlington, TX 76096-3834
 516446729 ++JC CHRISTENSEN & ASSOC, PO BOX 519, SAUK RAPIDS MN 56379-0519
 (address filed with court: J C Christensen & Associates Inc, PO Box 519,
 Sauk Rapids, MN 56379)
 516677407 +MERCEDES BENZ FINANCIAL SERVICES USA LLC, c/o RUBIN & ROTHMAN LLC, 1787 VETERANS HWY STE 32,
 ISLANDIA, NY 11749-1500
 516614245 +MIDLAND FUNDING LLC, PO BOX 2011, WARREN, MI 48090-2011
 516446734 Mercedes-Benz Financial, 13650 Heritage Valley Pkwy, Fort Worth, TX 76177
 516446735 +MidAmerica/Milestones/GFS, PO Box 4499, Beaverton, OR 97076-4499
 516446736 +Nationwide Credit, Inc, Po Box 26314, Lehigh Valley, PA 18002-6314
 516446737 +Optimum Business, Commercial Plaza, 5 Corporate Center Drive, Melville, NY 11747-3115
 516446741 +Rubin & Rothman, 1787 Veterans Highway, Islandia, NY 11749-1500
 516658628 +U.S. Bank National Association, Trustee (See 410), C/O Specialized Loan Servicing, LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 516446742 Verizon, PO Box 489, Newark, NJ 07101-0489
 516446744 Zales, PO Box 689182, Des Moines, IA 50368-9182

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 07 2017 23:30:19 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 07 2017 23:30:18 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516446714 +E-mail/Text: g20956@att.com Jul 07 2017 23:30:34 AT&T Mobility, PO Box 537104,
 Atlanta, GA 30353-7104
 516651918 +E-mail/Text: g20956@att.com Jul 07 2017 23:30:34 AT&T Mobility II LLC,
 c/o AT&T Services, Inc, Karen A. Cavagnaro-Lead Paralegal, One AT&T Way, Room 3A104,
 Bedminster, NJ 07921-2693
 516555614 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 07 2017 23:27:09
 American InfoSource LP as agent for, Verizon, PO Box 248838,
 Oklahoma City, OK 73124-8838
 516446713 +E-mail/Text: bkrrpt@retrievalmasters.com Jul 07 2017 23:30:17
 American Medical Collection Agency, 4 Westchester Plaza, Building 4,
 Elmsford, NY 10523-1615
 516457940 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jul 07 2017 23:21:38
 Capital One Auto Finance, c/o Ascension Capital Group, P.O. Box 165028,
 Irving, TX 75016-5028
 516446718 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Jul 07 2017 23:27:17
 Capital One Auto Finance, P.O. Box 260848, Plano, TX 75026-0848
 516570368 +E-mail/Text: bankruptcy@cavps.com Jul 07 2017 23:30:26 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 516446723 +E-mail/Text: Umesh.Patil@credencerm.com Jul 07 2017 23:32:15 Credence,
 17000 Dallas Parkway, Suite 204, Dallas, TX 75248-1940
 516446724 +E-mail/PDF: creditonebknofifications@resurgent.com Jul 07 2017 23:21:22 Credit One Bank,
 Po Box 60500, City Of Industry, CA 91716-0500
 516446730 +E-mail/PDF: gecsed@recoverycorp.com Jul 07 2017 23:21:36 JC Penney, Synchrony Bank,
 P.O. Box 965036, Orlando, FL 32896-5036
 516446731 +E-mail/Text: ebnsterling@weltman.com Jul 07 2017 23:30:12 Kay Jewelers, Po Box 740425,
 Cincinnati, OH 45274-0425
 516446732 E-mail/Text: bnckohlsnotices@becket-lee.com Jul 07 2017 23:30:03 Kohls, PO box 2983,
 Milwaukee, WI 53201-2983
 516581049 E-mail/PDF: resurgentbknofifications@resurgent.com Jul 07 2017 23:21:24
 LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 516446733 +E-mail/PDF: gecsed@recoverycorp.com Jul 07 2017 23:21:36 Lowe's, Synchrony Bank,
 Bankruptcy Dept, P.O. Box 965060, Orlando, FL 32896-5060

District/off: 0312-3

User: admin
Form ID: pdf901

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Total Noticed: 53

Date Rcvd: Jul 07, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516446734 E-mail/Text: M74banko@daimler.com Jul 07 2017 23:32:24 Mercedes-Benz Financial,
13650 Heritage Valley Pkwy, Fort Worth, TX 76177
516446738 E-mail/PDF: gecsedirecoverycorp.com Jul 07 2017 23:21:28 PC Ricards, Po box 960061,
Orlando, FL 32896-0061
516676891 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 07 2017 23:27:18
Portfolio Recovery Associates, LLC, c/o Best Buy Credit Card, POB 41067,
Norfolk VA 23541
516663891 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 07 2017 23:27:27
Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.A., POB 41067,
Norfolk VA 23541
516446739 +E-mail/PDF: gecsedirecoverycorp.com Jul 07 2017 23:21:22 QCard, P.O. Box 530905,
Atlanta, GA 30353-0905
516555623 E-mail/Text: bnc-quantum@quantum3group.com Jul 07 2017 23:30:14
Quantum3 Group LLC as agent for, GPCC I LLC, PO Box 788, Kirkland, WA 98083-0788
516490170 E-mail/Text: bnc-quantum@quantum3group.com Jul 07 2017 23:30:14
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
516470481 E-mail/Text: bnc-quantum@quantum3group.com Jul 07 2017 23:30:14
Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
Kirkland, WA 98083-0788
516457420 E-mail/Text: bnc-quantum@quantum3group.com Jul 07 2017 23:30:14
Quantum3 Group LLC as agent for, Sterling Jewelers Inc, PO Box 788,
Kirkland, WA 98083-0788
516446740 +E-mail/Text: bkrpt@retrievalmasters.com Jul 07 2017 23:30:17 RMCB*,
4 Westchester Plaza, Ste 110, Elmsford, NY 10523-3835
516446743 +E-mail/PDF: gecsedirecoverycorp.com Jul 07 2017 23:21:36 Walmart, Synchrony Bank,
P.O. Box 965024, Orlando, FL 32896-5024

TOTAL: 27

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 09, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 6, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Brian C. Nicholas on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES
2005-8 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Brian E Caine on behalf of Creditor THE BANK OF NEW YORK MELLON, Et Al...
bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Bruce C. Truesdale on behalf of Debtor Edward T Corson brucectruesdalepc@gmail.com,
bctpcecf@gmail.com/r49787@notify.bestcase.com
Bruce C. Truesdale on behalf of Joint Debtor Toni M Corson brucectruesdalepc@gmail.com,
bctpcecf@gmail.com/r49787@notify.bestcase.com
Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES
2005-8 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Michael M Khalil on behalf of Debtor Edward T Corson mkhalil@atrbklaw.com
Michael M Khalil on behalf of Joint Debtor Toni M Corson mkhalil@atrbklaw.com

TOTAL: 8